

The Examiner asserted that the inventions of groups I and II are related as product made and the process of making the product. The Examiner noted that these inventions are distinct because the product could be made by a process which does not produce a lens mold but forms a molding die for another product.

Accordingly, the Examiner asserted that the inventions are distinct, have acquired a separate status in the art and concluded that restriction for examination purposes is thus proper.

As noted above, Applicant has elected, with traverse, claims 1-5 and classified by the Examiner as Group I which is drawn to a lens molding die.

Further, as noted above, Applicant respectfully traverses the above noted requirement. Applicant submits that because of the relationship between the lens molding die and the method of producing a lens molding die, examining efficiency indicates that they should be examined together.

Further, Applicant respectfully submits that there is no serious burden on the Examiner in examining these two groups together. While the groups of claims are, as noted by the Examiner, classified in different classes, Applicant submits that an appropriate search for either of the groups would contain a significant amount of overlap and thus there would be no serious burden on the Examiner.

P19101.A04

In this regard, Applicant notes M.P.E.P. § 803 which states that "if the search and examination of the entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims independent or distinct inventions". All the Examiner has provided is evidence that the inventions are independent or distinct, but he has not provided evidence that examining all the claims in the present application would impose a serious burden on him.

Accordingly, Applicant respectfully requests reconsideration and withdrawal of the outstanding requirement and an action on the merits of all of claims 1-20.

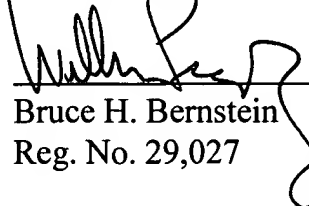
Nevertheless, should the Examiner choose not to reconsider his requirement, but decides to maintain the restriction requirement, Applicant has elected, with traverse, the invention identified by the Examiner as comprising Group I and encompassing claims 1-5.

Should the Examiner have any questions or comments regarding the present response, or this application, the Examiner is respectfully requested to contact the undersigned at the below listed telephone number.

July 3, 2002
GREENBLUM & BERNSTEIN, P.L.C.
1941 Roland Clarke Place
Reston, Virginia 20191
(703) 716-1191

Respectfully submitted,

Toru CHIBA

 B No 3363c
Bruce H. Bernstein
Reg. No. 29,027